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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/930,997	06/08/2001	Jay A. Alexander	10981507-2	1007

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EXAMINER	
AMINI, JAVID A	
ART UNIT	**PAPER NUMBER**
2672	

DATE MAILED: 07/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/930,997	ALEXANDER, JAY A.	
	Examiner	Art Unit	
	Javid A. Amini	2672	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *28 April 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☐ Claim(s) _____ is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *58-65 and 67-76* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *10/01/2001*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Response to Arguments

Applicant's arguments filed 4/28/2005 have been fully considered but they are not persuasive.

The rejection under 35 U.S.C. 112 has been withdrawn.

Applicant on page 6 of the remarks section 4 argues that the Examiner has provided no evidence that the reference Quattro was published prior to the critical date for the present application.

Examiner's reply: Examiner agreed with Applicant's argument, also Examiner disclosed the proper information for the reference in the previous office action " Quattro Pro6 for windows" ISBN 1-56529-761-X, copyright 1994 by Que corporation". The Applicant of Quattro was available to public around 1986. Not only the Quattro is a spreadsheet, but also shows you how to use the powerful data analysis tools, dynamic analysis to view your data in new way, enable you to quickly combine data from several sources, to try different combinations of data and etc.

Applicant on page 6, section 5 argues that the Quattro is not related to a signal measurement system, this reference displays graphs and legends associated with graphs, it does not disclose the ability to receive, sample, and display time-varying analog signal.

Examiner's reply: Quattro on page 487, figs. 13.12 and 13.13 illustrates a signal measurement system; it shows the data in a table and a graph that represent those data. The graph contains parts vs time varying on x-axis. The graph considers an analog signal that received the data from a table or an external database e.g. fig. 13.12. The combination of these figures on page 487 can be referred as a method for use in a signal measurement system. A signal

measurement system usually will use three AC-voltage-measuring devices to study time-varying signals: a volt-ohm meter (VOM), a digital multimeter (DMM), and an oscilloscope. Depending on the waveform shape, all three instruments may or may not give the same result when you attempt to measure the amplitude of the waveform. All three instruments are equipped with A/D converter, that converts the analog signal into a digital number so the user can read the signal values and these digital data can be stored in a database that Quattro on page 834 discloses establishing a link to an external database. These data can be displayed as an analog signal (e.g. see page 487 fig. 13.13). That means receiving sampled data for a time varying analog signal.

Examiner's suggestion: Applicant needs to specify the type of system in the claim; otherwise the claim language covers not only the devices *id.* but also the Quattro software application.

Applicant on page 7, first paragraph argues that the Quattro does not teach annotation label in visual association with a desired waveform features.

Examiner's reply: as Applicant in claim 58, lines 13-19 claims displaying and receiving through the user interface "... waveform-related data to be displayed in an annotation label;" The annotation label means: comments that may be added to a source code document either by a compiler or by the programmer. They do not affect the working of the program but gives explanation (for other programmers, or potential readers of the code principally, but also as a reminder for the author), hints or plans for improvement, etc. The general meaning of the annotation label is similar to adding data labels that Quattro on page 362 teaches that. These data labeling are waveform-related.

Examiner's suggestions: Applicant should be specifying the location and the significant of having the annotation over existing data labels e.g. axes labels, data labels in graphs, legends and parsing data. Quattro on page 336, figs. 10.22 and 10.23 illustrates the data values in percentages in the graphs that considered as an annotation labels.

Applicant on page 7, section 6 argues that a periodic or random sample has nothing to do with sampling a time-varying analog signal.

Examiner's reply: Examiner just showing that Quattro has capability using sample command, however, Quattro in fig. 13.13, page 487 illustrates sampling rate of one hour per sample in time-varying axis and the generated sample values are shown in fig. 13.12.

Examiner maintained the pervious rejection and will provide feedbacks if Applicant requests.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 58-65, 67-72, 74-76 rejected under 35 U.S.C. 102(b) as being anticipated by "using Quattro Pro6 for windows" ISBN 1-56529-761-X, copyright 1994 by Que corporation.

1. Claims 58 and 68.

"A method for use in a signal measurement system, the method comprising; receving a time-varying analog signal; sampling the received time-varying analog signal; displaying a waveform on a graphical user interface based on the sampled time-varying analog signal; Quattro runs under DOS and windows and takes full advantage of the graphical user interface and multitasking capability of windows. The program supports many powerful yet easy to use features including external data access, network support, and file linking. Quattro on page 834-835 teaches the tools database tools table link command establishes a link to an external database table and displays that link in the notebook. Quattro on page 626 teaches a "sample command". This sample command returns a periodic or random sample of values. Examiner's comment: The periodic or random sample values are the digitized value, and it can be converted to its waveform of analog, bar, column, pie and etc. Quattro in fig. 13.13, page 487 illustrates sampling rate of one hour per sample in time-varying axis and the generated sample values are shown in fig. 13.12. Quattro on pages 354-355 illustrates displaying on the graphical user interface a first display element representing the function of displaying an annotation label.

Quattro on pages 317-320 teaches receiving an indication that an operator graphically selected first display element, (see fig. 10.3 illustrates 6 display elements, 1st 2nd, 3rd, 4th, 5th, and 6th). Quattro in fig. 10.4 illustrates the following steps: displaying, on the graphical user interface, a display region through which the operator can enter wave-form-related data to be displayed in an annotation label; Quattro in chapter 10 discloses a complete user interfaces to create a presentation graphics.

Quattro in fig. 10.6 illustrates graphical related data to be displayed. In fig. 10.10 illustrates the graph types dialog box. Quattro on page 322 specifying legend labels in the data block in visual

association with a desired waveform feature. See the following steps: receiving through a user interface said waveform-related data to be displayed in said annotation label; and displaying said annotation label on said graphical user interface in visual association with a desired waveform feature, wherein said waveform-related data is displayed in said annotation label.

2. Claim 59.

The following steps are inherent "The method of claim 58, wherein said first display element comprises any known display element supported by the graphical user interface", because the Quattro illustrates in any of the figs. in chapter 10.

3. Claim 60.

"The method of claim 58, wherein said first display element comprises an icon", Quattro illustrates display elements as graphical objects, which are equivalent to an Icon.

4. Claim 61.

"The method of claim 58, wherein said first display element comprises a graphical button rendered on a dialog box", Quattro in fig. 10.7 illustrates graphical buttons that renders the dialog box. The applicant should specify explicitly the first display element, because any graphical object can be considered as a first display element.

5. Claim 62.

The following step is inherent. "The method of claim 58, wherein said display region through which the operator can enter said data to be displayed in the annotation label is a window",

6. Claim 63.

The following step is inherent, "The method of claim 58, wherein said display region through which the operator can enter said data to be displayed in the annotation label is a dialog box",

7. Claim 64.

The following step is inherent see any figs. In chapter 10."The method of claim 58, wherein said data to be displayed in said dialog box comprises data in the form of text strings".

8. Claim 65.

"The method of claim 58, wherein said data to be displayed in said dialog display region comprises data in the form of graphical symbols", Quattro in fig. 10.7 illustrates the step of this claim.

9. Claim 67.

Quattro in figs. 10.7-10.15 illustrates the steps of following claim: "The method of claim 58, further comprising: displaying a second display element on the graphical user interface indicating that the operator has the opportunity to alter the manner in which the annotation label is rendered; receiving an indication that the operator has selected said second display element; displaying, in response to said indication that the operator has selected said second display element, a rendering options display window on the graphical user interface through which the operator can enter rendering control information for the annotation label; receiving operator inputs applied to said rendering options display window; and displaying said annotation label in accordance with said operator inputs to said rendering options display window",

10. Claim 69

The rejection of claim 58 applies to the rejection of claim 69.

11. Claims 70-72, 74-76.

The rejection of claim 58 applies to the rejection of claims 70-72 and 74-76.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 73 rejected under 35 U.S.C. 103(a) as being unpatentable over Quattro, and further in view of Hale et al. (hereafter refers as a Hale).

12. Claim 73

Quattro does not specify a voice recognition system but Hale et al. in fig. 1 illustrates a voice communication box 126 as one of the user interfaces. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Hale into Quattro in order to have the capability of digitizing the voice communication data into a column of a spreadsheet of Quattro. Also using the data from Hale's data acquisition system to represent graphical objects in form of analog, column, bar, pie and etc. using Quattro application.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

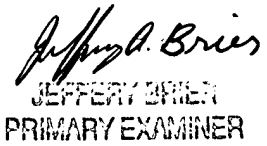
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Javid A. Amini whose telephone number is 571-272-7654. The examiner can normally be reached on 8-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on 571-272-7664. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Javid A Amini
Examiner
Art Unit 2672

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